

REMARKS

5 The foregoing amendment is submitted to more clearly set forth the claimed invention and to highlight the differences between the claimed invention and the prior art cited in the present application.

10 Claims 1, 2, 4-10 and 12 stand rejected as anticipated by Eisenberg (U.S. Patent No. 2,518,873) or MacMartin (U.S. Patent No. 2,512,952) or Walker (U.S. Patent No. 2,529,434). The Office Action states that each reference shows holders for scouring devices for releasably securing scouring devices between opposing legs wherein the user can release the scouring device from the holder without having to directly touch the scouring device. The rejection is hereby traversed and reconsideration is respectfully requested.

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 Before discussing the prior art, it should be noted that Applicants have amended claims 1 and 13 to make changes which are believed to more clearly distinguish the claimed invention from the cited prior art.

20 All of the changes concern the gripping assembly. As indicated in claim 1, the gripping means is now stated to comprise a plurality of spaced apart grippers which can be in the form of teeth as specifically shown in Figures 1-4. The gripping means is movable in unison from a first position sufficient to enter the scouring device at the same time to secure the holder to the scouring device. The movement of the

grippers in unison is apparent from Figures 1-4 and as explained beginning at page 6, line 18 wherein it is stated that the opposed legs 6a and 6b are movable from a first position shown in Figure 1 to a second position where the teeth 16 move together because, as shown in the figures, they are uniformly spaced apart in a manner in which they enter the scouring device at the same time. Claim 1 further states that the scouring device is held by the holder without the application of pressure by the user as disclosed at page 7, lines 7-12.

Movement of the gripping assembly to a second position is made when the user maintains pressure on the holder to thereby release the grippers at the same time from the scouring device as explained in the paragraph bridging pages 7 and 8 of the specification. Similar changes are made to method claim 13 and particularly to the description of the gripping assembly. Entry of the amendments to claims 1 and 13 are therefore deemed proper and are respectfully requested.

Eisenberg and MacMartin each disclose gripping devices in which the grippers or teeth face each other. As shown in Figures 1 and 2 of each reference, in order for a scouring device such as a steel wool pad to be gripped by the respective reference gripping devices, the user must apply pressure to move the grippers or teeth into engagement with the scouring device. The pressure applied by the user must be maintained during the entire cleaning operation otherwise, the grippers will move away from each other and disengage from the scouring device.

The disadvantage of the reference devices is that pressure must be applied constantly by the user during the cleaning operation. Thus, the user must not only exert pressure to keep the holder engaged to the scouring device, but must also exert pressure that is necessary for the cleaning operation. This is often uncomfortable for the user and such devices may be problematical for people having difficulty in exerting such pressure for any extended period of time (e.g. a person suffering from arthritis).

To the contrary, the present invention as encompassed by the amended claims provides a gripping assembly comprised of a plurality of spaced apart grippers which move in unison so that when the grippers engage the scouring device and the holder is in the cleaning position, the user does not have to apply pressure. When it is time to release the scouring device from the holder, the user applies pressure for a moment to release the scouring device and then may release the pressure while the scouring device is released from the holder. The present invention is therefore significantly more user friendly because it enables users, even those afflicted with arthritis, the opportunity to use a scouring device through a holder in which pressure does not have to be applied during the cleaning operation to retain the scouring device within the holder. It is therefore submitted that the present invention is neither anticipated by nor rendered obvious from Eisenberg et al. and MacMartin.

Walker discloses a similar type of arrangement as shown best in Figure 5. The Walker device requires the user to apply pressure to the handle during the cleaning operation in order to maintain effective contact between the holder and the scouring device. For the same reasons discussed above in connection with Eisenberg et al. and MacMartin, the present invention is neither anticipated by nor rendered obvious over Walker.

Claims 1, 2, 4-10 and 12-14 stand rejected as anticipated by French Patent No. 711452. The Office Action states that the reference discloses several embodiments of holders for scouring devices each comprising a pair of opposed legs having gripping assemblies at their free ends. Specific mention is made of Figure 6 which is stated to show outwardly oriented teeth (b, b') that are biased to an expanded position to grip the scouring pad. The rejection is hereby traversed and reconsideration is respectfully requested.

The holding devices disclosed in the French patent as represented by Figures 1-4, 7 and 8 all have variations of opposed legs which require pressure to be applied by the user when gripping the scouring device much like the Eisenberg, MacMartin and Walker references discussed above. What differentiates the holding devices of Figures 5 and 6 from the other embodiments disclosed in the French patent is the employment of a pivot which provides for movement of the respective legs of the holding device about a pivot point which appears to be represented by the letter "K". In the embodiment of Figure 5, it appears as if the left hand leg portion can rotate

counterclockwise away from the right hand leg portion to place the teeth ("b") away from each other. Clockwise movement would then reverse the direction of the teeth so that the holding device can move from a first position for releasing the scouring device to a second position in which the teeth are gripping the holding device.

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The embodiment of Figure 5 differs from the presently claimed invention not only because of the arrangement of the teeth, but also because of the pivot action of the respective bottom leg portions of the holding device which mandates, because of the pivot action, the teeth will not grip the scouring device at the same time. This arrangement is disadvantageous for at least a couple of reasons. First, each of the teeth may not grip the scouring device with equal force so that it is possible for the scouring device to come loose at one end of the holder, especially during the cleaning operation. Second, the rotational movement of the teeth into and out of the scouring device can cause damage to the scouring device by a shearing effect and thereby shorten the period in which the scouring device may be effectively used.

Contrary to the French patent, the present invention provides for a gripping assembly including a plurality of grippers which enter the scouring device at the same time and exit at the same time thereby providing equal directional application of force by all of the grippers (e.g. teeth) while eliminating the possibility of adverse shearing effect as a result of the pivoting action associated with the French patent device. There is no teaching or suggestion from the embodiment shown in the drawings of the French patent of the invention as claimed in the present application.

Withdrawal of the rejection is therefore deemed proper and such action is respectfully requested.

5 Claim 3 stands rejected as unpatentable over the primary references in view
of German Patent No. 3530401. The German patent is stated to show an
embodiment of a pad holder in Figures 1 and 5 comprising a plurality of hook-shaped
gripping means for engaging a pad. The Office Action concludes that it would have
been obvious to one of ordinary skill in the art to replace the piece of the primary
10 references with the hook-shaped gripping means as taught by the German patent.
The rejection is hereby traversed and reconsideration is respectfully requested.

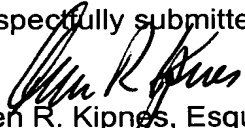
Applicants do not assert that the employment of hooks per se amounts to a
patentable invention. However, the employment of hooks in place of teeth with the
15 other features of the claimed invention does represent patentable subject matter
because the same is neither anticipated by nor rendered obvious by the cited
references. As is evident from the drawing figures set forth in the German reference,
the reference does not provide a gripping assembly positioned at the end of a pair of
opposed legs such that gripping means (e.g. hooks) are movable from a first position
20 to a second position as defined in the present claims. Thus, the German reference
device is not structurally related to that of the present invention nor does the
reference device operate in the same or similar manner. For these reasons, claim 3
of the present invention is patentable over the German reference in combination with
the primary references.

It is noted that there are two objections to the drawings as set forth on page 4 of the Office Action. Applicants have filed concurrently herewith a request for drawing changes in which a new drawing (Figure 7) has been added showing the use of hooks. Furthermore, Applicants have provided an amendment to Figure 3 to show the teeth in dotted lines. No new matter has been added to the application by the introduction of new Figure 7 along with the accompanying description of the new drawing figure in the specification.

In view of the foregoing, Applicants submit that the present application is in condition for allowance and early passage to issue is therefore deemed proper and is respectfully requested.

It is believed that no fee is due. However, if any fee is due, it should be charged to Deposit Account No. 23-0510.

Respectfully submitted,


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